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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 On Appeal from the United States Bankruptcy Court
for the Northern District of California
11 Hon. Edward D. Jellen

12 ALPHAONE PHARMACEUTICALS,
13 INC.,

No. 08-01279-SI

14 Plaintiff,

15 v.

16 SONORAN DESERT CHEMICALS, LLC,
etc., et al.

CERTIFICATE OF SERVICE

17 Defendants.
18

I am employed in the County of San Francisco; I am over the age of 18 years and not a party to the within entitled action; my business address is Four Embarcadero Center, 17th Floor, San Francisco, California 94111-4106.

On April 16, 2008, I served the following documents described as:

NOTICE OF MOTION AND MOTION TO DISMISS AS MOOT THE APPEAL OF ALPHAMED PHARMACEUTICALS CORP. OF THE PLAN CONFIRMATION ORDER AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

DECLARATION OF M. SUE PRESTON IN SUPPORT OF MOTION TO DISMISS AS MOOT THE APPEAL OF ALPHAMED PHARMACEUTICALS CORP. OF THE PLAN CONFIRMATION ORDER AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

DECLARATION OF PHILIP J. BARR, Ph.D., IN SUPPORT OF MOTION TO DISMISS AS MOOT THE APPEAL OF ALPHAMED PHARMACEUTICALS CORP. OF THE PLAN CONFIRMATION ORDER AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

[PROPOSED] ORDER DISMISsing ALPHAMED PHARMACEUTICAL CORP.'S APPEAL OF THE PLAN CONFIRMATION ORDER

on the interested party(ies) in this action by placing true copies thereof enclosed in sealed envelopes and/or packages addressed as follows:

See Attached Service List

- BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of the addressee(s).
- BY OVERNIGHT DELIVERY EXCEPT AS OTHERWISE STATED:** I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier.
- FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

1 Executed on April 17, 2008 at San Francisco, California.
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James Livingston

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